

FORTY-FOURTH DAY

(Continued)

(Wednesday, April 6, 1949)

AFTER RECESS

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Senator Aikin submitted the following reports:

Austin, Texas,
April 5, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 386, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
April 5, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 290, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
April 5, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 438, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
April 5, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 361, have had the same under con-

sideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Jones submitted the following reports:

Austin, Texas,
April 5, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 418, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 5, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 381, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

House Bill on First Reading

The following bill, received from the House, was laid before the Senate, read first time and referred to the committee indicated:

H. B. No. 448, to Committee on Veterans and Military Affairs.

Senate Concurrent Resolution 38

Senator Harris offered the following resolution:

S. C. R. No. 38, Instructing the Fire Insurance Commission to order a thorough investigation as to any and all fire hazards in the state institutions, etc.

Whereas, The terrifying midnight fire that flashed through the St. Anthony's Hospital at Effingham, Illinois, trapping bed-ridden patients and several nuns and staff members has been brought to the attention of this world, and

Whereas, We the Legislature of Texas feel it our full and deep responsibility to the people that are now cared for by the People of Texas in our many State Institutions, and

Whereas, We feel that such a catastrophe shall not happen in our great State if it is at all possible to prevent it; now, be it

Resolved, By the Senate of Texas, the House concurring, that the Fire Prevention Chief of the State Fire Insurance Commission of the State of Texas be directed to immediately make a most thorough inspection as to any and all fire hazards that now exist in any of our State Institutions of Texas where people are housed and so make a report in writing so that necessary steps may be made to assure the safety of those patients and inmates as need be.

The resolution was read.

On motion of Senator Harris and by unanimous consent, the resolution was considered immediately and was adopted.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 6, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolution:

S. B. No. 82, A bill to be entitled "An Act to repeal Chapter 403, House Bill No. 78, Acts First Called Session of the Forty-fourth Legislature, which created an Industrial Revolving Fund of the Texas Prison System; and declaring an emergency."

S. C. R. No. 37, Relative to naming the Port located at or near the old Red Fish Bay landing on Red Fish Bay, in the Laguna Madre, Willacy County, Texas, in honor of Joseph J. Mansfield.

S. B. No. 138, A bill to be entitled "An Act making appropriation to pay deficiency appropriations granted by the Governor prior to January 10, 1949, and for which no appropriations have heretofore been made, and declaring an emergency."

S. B. No. 252, A bill to be entitled "An Act appropriating \$960,000.00 to the Board of Control for the use of various eleemosynary institutions during the balance of the fiscal year end-

ing August 31, 1949, for food, medicine, clothing, and other contingent items, and declaring an emergency."

With amendments.

S. B. No. 141, A bill to be entitled "An Act appropriating the sum of One Hundred and Seventy-five (\$175.00) Dollars, or so much thereof as may be necessary to satisfy, according to the terms thereof, the judgment rendered against the State of Texas in favor of John V. Dowdy, in Cause No. 700 in the Justice Court, Precinct Number One, Henderson County, Texas, said judgment being a final judgment; and declaring an emergency."

S. B. No. 190, A bill to be entitled "An Act authorizing Junior College districts to issue refunding bonds; prescribing the method of issuing such bonds; requiring approval thereof by the Attorney General and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 4, A bill to be entitled "An Act amending Vernon's Penal Code of Texas, Article 934-b-1, the same being Acts 1945, Forty-ninth Legislature, page 78, Chapter 55, and Acts 1947, Fiftieth Legislature, page 86, Chapter 59, relating to the conservation of aquatic life within the boundaries of the State of Texas as set out in said Act; providing certain fees and licenses; defining authority; providing penalty; a severance clause; and declaring an emergency."

With amendments.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bill 4 with House Amendments

Senator Phillips called S. B. No. 4 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Phillips moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—25

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Martin
Bracewell	McDonald
Bullock	Morris
Carney	Phillips
Colson	Shofner
Corbin	Strauss
Cousins	Taylor
Hardeman	Tynan
Harris	Vick
Hudson	Weinert
Jones	

Nays—2

Kelley of Hidalgo Moore

Absent

Hazlewood	Moffett
Lock	Proffer

Senate Resolution 109

Senator Martin offered the following resolution:

Whereas, We are honored today to have in the gallery the Civics and American History Classes of the Hubbard High School, along with their teacher, Mrs. Martha McRae Thornton, and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day, and that each member of this class be furnished with a copy of this resolution.

The resolution was read and was adopted.

House Bill 29 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 29, A bill to be entitled "An Act creating Texas Citrus Commission, providing for appointment of its members, their qualifications, compensation, tenure, and powers; providing for the officers and organization of said Texas Citrus Commission and how it shall carry out its functions and enforce the powers granted to it, etc.; and declaring an emergency."

The bill was read second time.

(President pro tempore in the Chair)

Senator Kelley of Hidalgo offered the following committee amendment to the bill:

(Committee Amendment No. 1)

Amend House Bill No. 29 by striking out of Section 11, subsection (5) on page 13 of the engrossed House Bill, the last sentence in said subsection, commencing with the word "If" and ending with the word "prevail."

(President in the Chair)

The committee amendment was lost by the following vote:

Yeas—11

Carney	Morris
Corbin	Phillips
Jones	Shofner
Kelley of Hidalgo	Taylor
Kelly of Tarrant	Vick
Moffett	

Nays—13

Aikin	Lane
Ashley	Martin
Bell	McDonald
Bullock	Proffer
Hardeman	Strauss
Harris	Weinert
Hudson	

Absent

Bracewell	Lock
Colson	Moore
Cousins	Tynan
Hazlewood	

Senator Kelley of Hidalgo offered the following amendment to the bill:

Amend H. B. No. 29 by striking out the words and figures "twenty-eight (28)" in Line 39, Section 1, on page 1 of said bill and substituting in lieu thereof the words and figures "twenty-seven (27)."

The amendment was adopted.

Senator Kelley of Hidalgo offered the following amendment to the bill:

Amend H. B. No. 29 by striking out the word and figure "four (4)" in Section 1, Sub-Section 4, on Page 2, Line 48 thereof and substituting in lieu thereof the word and figure "three (3)."

The amendment was adopted.

Senator Kelley of Hidalgo offered the following amendment to the bill:

Amend H. B. No. 29 by striking out the word and figure "ten (10)" in Section 2, Page 3, Line 7 of said bill and substituting in lieu thereof the word and figure "Nine (9)."

The amendment was adopted.

Senator Vick offered the following amendment to the bill:

Amend H. B. No. 29 as follows: That the words "and tomatoes" be added after the words "citrus fruit" wherever the same appears in said bill.

(Senator Morris in the Chair)

Senator Kelley of Hidalgo moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—21

Aikin	Moffett
Ashley	Moore
Bell	Morris
Bullock	Phillips
Carney	Proffer
Corbin	Shofner
Cousins	Strauss
Harris	Taylor
Jones	Tynan
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Nays—5

Hardeman	McDonald
Hudson	Vick
Lane	

Absent

Bracewell	Lock
Colson	Martin
Hazlewood	

Senator Hardeman offered the following amendment to be bill:

Amend H. B. No. 29, Sec. 9, Para. (2), page 5, line 11, by striking out the word "attorneys" and by adding the following after the period in the line 14 thereof:

"Provided, however, that all compensation proposed to be expended under said para. (2) shall be first approved by the Legislative Audit Committee."

Senator Kelley of Hidalgo moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—9

Carney	Moore
Corbin	Morris
Cousins	Phillips
Kelley of Hidalgo	Tynan
Moffett	

Nays—17

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Martin
Bracewell	McDonald
Bullock	Shofner
Hardeman	Strauss
Harris	Vick
Hudson	Weinert
Jones	

Absent

Colson	Proffer
Hazlewood	Taylor
Lock	

(President in the Chair)

Question recurring on the amendment, it was adopted.

On motion of Senator Kelley of Hidalgo and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

Senator McDonald offered the following amendment to the bill:

Amend H. B. No. 29 by striking out Section 1 and inserting in lieu thereof the following:

"Section 1. There shall be submitted to the qualified voters of this State at a special election to be held throughout the State on the 7 day of November, 1949, the question of whether there shall be created and established a Texas Citrus Commission. Only those qualified voters who are at the time of said election actively engaged in growing citrus fruits in the State of Texas and who are deriving a substantial portion of their income therefrom may vote at such election. The Governor of the State of Texas shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State. At such election all ballots shall have printed thereon

"FOR the establishment of the Texas Citrus Commission."

"AGAINST the establishment of the Texas Citrus Commission."

The sum of Five Thousand Dollars (\$5,000) or so much thereof as may be necessary is hereby appropriated out of any funds in the Treasury of the State not otherwise appropriated to pay the expenses of such publication and election. If the majority of the votes cast favor the creation of a Texas Citrus Commission, the Governor shall issue the necessary proclamation for the creation and establishment of an instrumentality of the State of Texas to be known and described as Texas Citrus Commission to be composed of twenty-eight (28) practical citrus men, all resident citizens of the State of Texas, each of whom has at the time of his appointment and shall continue to have throughout his term of office the respective qualifications, as follows:

(1) Grower Members

Ten members shall be growers, each of whom has been for a period of five years immediately preceding his appointment to office, actively engaged in growing citrus fruit in the State of Texas and who during such period has derived a substantial portion of his income therefrom, or has been during said period, the directing or managing head of a corporation or partnership which has during said five year period derived the major portion of its income from the growing of citrus fruit.

Three of said grower members shall be persons who market their citrus fruit or are connected with corporation or are members of partnerships which market the citrus fruit produced by such corporation or partnership, under contract with the largest Texas cooperative citrus association or group of federated cooperative citrus associations.

One of said grower members shall be a person who markets his citrus fruit, or is connected with a corporation or is a member of a partnership which markets the citrus fruit produced by such corporation or partnership, under contract with a Texas cooperative citrus association not connected or affiliated with the largest Texas cooperative citrus association or group of federated cooperative citrus associations.

Six of said grower members shall be persons who sell the Texas citrus fruit produced by them or by partnerships or corporations with which such members are connected, independently or to a packer or processor (other

than a cooperative association) prior to the fruit being packed or processed.

(2) Shipper Members

Two members of said Texas Citrus Commission shall be officers or full time employees of the largest Texas cooperative citrus association, or of one of the cooperative citrus associations which is a member of, or affiliated with a group of federated cooperative citrus associations. One member of said Texas Citrus Commission shall be an officer or full time employee of a Texas cooperative citrus association not connected or affiliated with the largest Texas cooperative citrus association or any of the group of federated cooperative citrus associations. Five members of said Texas Citrus Commission shall be persons engaged in, or who are directing or managing heads of corporations, or members of partnerships, engaged in buying Texas Citrus fruits for cash and packing and shipping the same as fresh fruit.

(3) Canner or Processor Members

Two members of said Texas Citrus Commission shall be officers or full time employees of the largest Texas cooperative citrus association or of one of the Texas cooperative citrus associations which is a members of a group of federated Texas cooperative citrus associations. One members of said Texas Citrus Commission shall be an officer or full time employee of a cooperative citrus association not connected or affiliated with the largest Texas cooperative citrus association or any of the group of federated cooperative citrus associations which is engaged in processing or canning citrus fruit or an independent processor of citrus fruit or an officer or full time employee of a private corporation engaged in processing citrus fruit.

Three members of said Texas Citrus Commission shall be persons engaged in or who are directing or managing heads of corporations or partnerships engaged in, buying citrus fruit or parts thereof for cash and processing or canning same before resale.

(4) Members at Large

Four members of said Texas Citrus Commission shall be persons who are residents of the citrus producing area of Texas and not principally engaged in producing, marketing or processing Texas citrus fruit.

(5) If any member of the Texas Citrus Commission shall during his term of office, cease to be qualified

for his particular office in accordance with the requirements of this section, he shall thereupon resign or be subject to removal from office."

Sec. 1^a. If there is established a Texas Citrus Commission as provided above, two hundred (200) qualified voters of this State who are actively engaged in growing citrus fruit in the State of Texas and who are deriving a substantial portion of their income therefrom, one year after the date of the establishment of the Texas Citrus Commission, and each year thereafter, may petition the Governor to call an election on the question of whether the Texas Citrus Commission so created shall be continued. Upon the receiving of such petition duly signed as provided above, the Governor shall submit at a special election to be held throughout the State the question of whether the Texas Citrus Commission shall be continued. Only those qualified voters who are at the time of said election actively engaged in growing citrus fruit in the State of Texas and who are deriving a substantial portion of their income therefrom may vote at such election.

Question—Shall the amendment be adopted?

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 6, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolution:

H. C. R. No. 62, Relative to providing a permanent place for the French boxcar from the "Merci Train."

H. B. No. 41, A bill to be entitled "An Act providing that in all Counties whose population exceeds Thirty Thousand (30,000) and does not exceed Thirty-six Thousand Five Hundred (36,500) according to the last or any future Federal Census, District Clerks of such Counties may employ seasonal help whose total salaries shall not exceed Five Hundred (\$500.00) Dollars per annum; providing for the payment of such salaries out of the general funds of such County; providing such Act

shall be cumulative of other salary Acts affecting District Clerks, deputies and employees; and declaring an emergency."

H. B. No. 60, A bill to be entitled "An Act defining the jurisdiction of the County Court of Johnson County and diminishing its civil and criminal jurisdiction; providing that the District Court of Johnson County shall have jurisdiction in all civil and criminal matters over which by law the County Court would have original and appellate jurisdiction; providing for the transfer of civil and criminal causes from the County Court to the District Court of Johnson County; providing the Act shall not affect Judgments heretofore rendered by said County Court in causes now transferred to the District Court of said County, and providing for the repeal of all laws in conflict therewith; and declaring an emergency."

H. B. No. 160, A bill to be entitled "An Act permitting certain county line school districts to hold election to change the administrative jurisdiction of the school district to the county of the choice of the majority of the voters of the school district; the election to be called upon petition of the voters of the district; and declaring an emergency."

H. B. No. 164, A bill to be entitled "An Act appropriating the sum of Forty-four Hundred (\$4,400.00) Dollars, or so much thereof as may be necessary, to satisfy and pay, according to the terms thereof, that certain judgment rendered against The State of Texas and the Highway Department of the State of Texas in favor of Ed Davis and wife, Cora Davis, in Cause No. 7415, in the District Court of Haskell County, Texas, in the 39th Judicial District of Texas, such judgment having become final and no appeal prosecuted therefrom; and declaring an emergency."

H. B. No. 221, A bill to be entitled "An Act creating a special road law for Reagan County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of February 20, 1949, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners' Court of said County, and officers thereof, in respect to

the funding or refunding of said indebtedness; providing this law shall be cumulative of general laws on the subject of roads and bridges and general laws on funding and refunding bonds not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict; and declaring an emergency."

H. B. No. 245, A bill to be entitled "An Act changing the name of the Deaf and Dumb Asylum, so as to be hereinafter known as the Texas School for the Deaf; and declaring an emergency."

H. B. No. 283, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16 of the Constitution to be known as 'Lower Nueces River Water Supply District,' enacting other provisions relating to the subject, and declaring an emergency."

H. B. No. 380, A bill to be entitled "An Act authorizing certain Independent School Districts to issue bonds to finance building programs and issue them in installments as funds are needed; permitting voting of bonds to mature serially or otherwise within forty (40) years; providing for their issuance where boundaries may be changed subsequently through attachment or detachment of territory not exceeding in area 5% of total area of district; prescribing manner of holding election for assumption of outstanding debt and authorizing tax for payment unissued at time of change of boundaries and voting of maintenance tax; defining territory that will be liable for tax to pay bonds unissued at time of any detachment of territory; enacting other provisions relating to the subject; providing that this Act shall be cumulative of other laws but shall take precedence in event of conflict with any other laws; providing a severability clause; and declaring an emergency."

H. B. No. 405, A bill to be entitled "An Act to amend Article 5142a, Revised Civil Statutes of Texas, Sections 3, 4 and 5, providing for the payment of money in wife and child desertion cases to the Probation Officer or the District Clerk, as the Juvenile Board may direct, and the disbursement of such funds; providing for the making of surety bond in case the Probation Officer is des-

ignated, and for the keeping of records; and declaring an emergency."

H. B. No. 407, A bill to be entitled "An Act changing the name of West Texas State Teachers College at Canyon, Texas, to West Texas State College at Canyon, Texas; and declaring an emergency."

H. B. No. 436, A bill to be entitled "An Act to fix the maximum and minimum of the salaries to be paid the County Judge, the Sheriff, the District Attorney or Criminal District Attorney, as the case may be, the District Clerk, the County Clerk, the Assessor and Collector of Taxes, the County Treasurer, and the Judges of any County Courts at Law in counties having a population of three hundred fifty-five thousand or more according to the last preceding or any future Federal census, and declaring an emergency."

H. B. No. 487, A bill to be entitled "An Act amending Section 1, Chapter 167, page 273, Acts Regular Session of the 50th Legislature, 1947, pertaining to open season for buck deer in certain counties by adding thereto the County of Zapata; and declaring an emergency."

H. B. No. 489, A bill to be entitled "An Act to amend Section 16, Acts 1941, 47th Legislature, page 188, Chapter 136, to fix the compensation of the County Court at Law of Travis County, and declaring an emergency."

H. B. No. 495, A bill to be entitled "An Act fixing an open season on buck deer, wild turkey and quail in La Salle County; repealing all laws in conflict therewith; fixing a penalty; and declaring an emergency."

H. B. No. 506, A bill to be entitled "An Act to make it unlawful to take or kill wild quail or mourning doves for a period of three (3) years in Kent County, Texas; fixing penalty; providing a rule of evidence; and declaring an emergency."

H. B. No. 507, A bill to be entitled "An Act to make it unlawful to take or kill wild quail or mourning doves for a period of three (3) years in Stonewall County, Texas; fixing penalty; providing a rule of evidence; and declaring an emergency."

H. B. No. 532, A bill to be entitled "An Act to amend Article 6703 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

H. B. No. 540, A bill to be entitled "An Act fixing the salaries of Justices of the Peace who are compensated on a salary basis in Counties having a population of not less than seventy thousand (70,000) inhabitants and not more than one hundred thousand (100,000) inhabitants according to the last preceding Federal Census; authorizing the employment of a secretary for Justices of the Peace in said Counties by the Commissioners' Court; prescribing salaries for the secretaries; providing that this Act shall be severable; repealing all laws in conflict; and declaring an emergency."

H. B. No. 548, A bill to be entitled "An Act declaring a closed season on deer and quail in Parker County, Texas, for a period of two (2) years; making it unlawful to take, trap, ensnare, kill or attempt to kill any deer or quail in Parker County for a period of two years from and after the passage of this Act; fixing a penalty; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 569, A bill to be entitled "An Act authorizing the Commissioners' Court or County Hospital Board in any County having a population of not less than twenty-two thousand (22,000) and not more than twenty-two thousand eight hundred (22,800) inhabitants according to the last preceding Federal Census to lease or sell any County Hospital belongings to said County upon such terms and conditions as may be agreed to by the Commissioners' Court or County Hospital Board of such County and providing that no sale of such Hospital shall be confirmed by the Commissioners' Court or County Hospital Board of such County until such sale be approved by a majority vote of the property tax paying citizens of such County and providing for the manner of conducting such election and declaring an emergency."

H. B. No. 575, A bill to be entitled "An Act to grant and dedicate right-of-way off of the south side of a tract of land acquired by the State from W. E. Logan, in Hays County, by deed recorded in Vol. 135, pages 414-416, Deed Records of Hays County, to widen State Highway 123; and declaring an emergency."

H. B. No. 576, A bill to be entitled "An Act amending Article 1302,

Chapter 1, of Title 32 of the Revised Civil Statutes of the State of Texas, 1925, by adding thereto a new subdivision, to be known as Subdivision 87A providing for the formation of private corporations to engage in the business of acquiring, planting, growing, protecting, conserving, harvesting, using, and selling timber and trees, purchasing, manufacturing and selling products therefrom, and owning and holding land necessary for such business; also to engage, individually or in conjunction with Governmental authorities and others, in programs or reforestation and timberland fire prevention; and declaring an emergency."

H. B. No. 579, A bill to be entitled "An Act to appropriate money to pay Judge Delos Finch for services as Special District Judge of the 73rd Judicial District and declaring an emergency."

H. B. No. 591, A bill to be entitled "An Act to amend Section 3, Chapter 169, Acts of the R. S. of the 40th Legislature, 1927, page 243, so as to increase the salary of nurses; and declaring an emergency."

H. B. No. 592, A bill to be entitled "An Act providing for salaries of Constables and Justices of the Peace in counties having at least eight District Courts two of which are Criminal District Courts, and at least four County Courts two of which are County Courts at Law and one is a County Criminal Court, and declaring an emergency."

H. B. No. 596, A bill to be entitled "An Act authorizing Commissioners' Courts in counties having a population of not less than 29,500 nor more than 30,000 inhabitants, according to the last preceding or any future Federal Census, and in which there is located no Court of Civil Appeals, to provide for, maintain and establish a County Law Library; providing for the taxing of costs in civil cases, with certain exceptions, to provide a fund for such libraries and for administration of such fund; granting authority to said Courts to make rules for use of said libraries; and declaring an emergency."

H. B. No. 603, A bill to be entitled "An Act making it unlawful to use seines, with certain exceptions, in any of the waters of Henderson County; providing a penalty; repealing all

laws and parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 608, A bill to be entitled "An Act regulating use of seines and nets for taking fish in Milam County; prohibiting sale of fish taken from the waters of said county; fixing a penalty for violation hereof; and declaring an emergency."

H. B. No. 616, A bill to be entitled "An Act amending Section 7 of House Bill No. 522, Chapter 289 of the Acts of the Regular Session of the Forty-fourth Legislature, so as to provide for the increase of the annual agent's license fee from \$1.00 to \$2.00; providing that this Act shall take effect March 31, 1950; and declaring an emergency."

H. B. No. 649, A bill to be entitled "An Act regulating the hunting of deer in Nacogdoches County; repealing conflicting laws; and declaring an emergency."

H. B. No. 684, A bill to be entitled "An Act regulating the taking of fur-bearing animals or their pelts in Cherokee County, Texas; repealing all laws in conflict herewith; providing a penalty; and declaring an emergency."

H. B. No. 685, A bill to be entitled "An Act regulating the taking of squirrels in Cherokee County, Texas; providing a penalty; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 710, A bill to be entitled "An Act to amend Section 6 of House Bill No. 961, Chapter 458, Acts of the 47th Legislature, Regular Session, 1941, authorizing the Commissioners' Court of Dallas County, Texas, to purchase or condemn property for the construction, maintenance, and operation or in aid thereof of public roads; prescribing rules and regulations and procedure by which such purchases or condemnation may be accomplished or effected; providing compensation to Commissioners of Appraisal for their services per day; and declaring an emergency."

H. B. No. 720, A bill to be entitled "An Act providing for an open season for hunting buck deer in the County of Tyler; providing that said deer may be hunted with dogs; providing a penalty for the violation of said Act; repealing all laws in con-

flict with this Act; and declaring an emergency."

H. B. No. 744, A bill to be entitled "An Act to amend Article 1370, Revised Penal Code of 1925; and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bill 252 with House Amendments

Senator Aikin called S. B. No. 252 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Aikin moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—27

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Morris
Corbin	Phillips
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hazlewood	Tynan
Hudson	Vick
Jones	Weinert
Kelley of Hidalgo	

Absent

Colson	Moore
Lock	Proffer

Report of Conference Committee on Senate Bill 69

Senator Aikin submitted the following report:

Austin, Texas,
April 5, 1949.

Hon. Allan Shivers, President of the Senate;

Hon. Durwood Manford, Speaker of the House of Representatives.

Sirs: We, the members of your conference committee, appointed to adjust the differences between the

Senate and the House of Representatives on Senate Bill No. 69, have met and had same under consideration and recommend that Senate Bill No. 69 be passed in the form attached hereto.

Respectfully submitted,

AIKIN
TYNAN
COLSON
PHILLIPS
HUDSON

On the part of the Senate.

HEFLIN
REED
LEE
ETHEREDGE
ABINGTON

On the part of the House.

S. B. No. 69

By: Tynan

A BILL

TO BE ENTITLED

"An Act to amend Section 9, Chapter 67, Acts of the 41st Legislature, Fifth Called Session, as amended by Chapter 75, Acts of Regular Session of the 48th Legislature, pertaining to the sale of products produced by the Texas Prison System to the State of Texas, and its institutions; providing for the sale of surplus agricultural products and other personal property owned by the Texas Prison System, other than manufactured products produced for the purpose of sale; providing for a severability clause; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 9, Chapter 67, Acts of the 41st Legislature, Fifth Called Session, as amended by Chapter 75, Acts of Regular Session of the 48th Legislature, be and the same is hereby amended so as to hereafter read as follows:

"Section 9. (a) Authority is hereby given to the Texas Prison Board and the State Board of Control to enter into contracts whereby the Texas Prison Board may sell to the State Board of Control for the use of the State of Texas, or any of its departments, boards, commissions, and institutions of every kind and character, any product or article manufactured or produced by the Texas Prison System, said products to be used solely in departments, boards, commissions, and institutions which are owned and operated entirely by said State of Texas; and it is hereby

made the duty of the State Board of Control to purchase all such products when needed for the aforesaid purpose whenever it is economical to do so. When such products are sold to the State Board of Control, the charge for any product, which the law permits the Texas Prison Board to sell in the open market, shall be at a price to be agreed upon by the General Manager of the Texas Prison System and the State Board of Control, not to exceed the price at which products of the same or equal quality could be purchased by the State Board of Control on the open market. The charge for any product which the law prohibits the Texas Prison Board from selling in the open market shall be at a price agreed upon by the General Manager of the Texas Prison System and the State Board of Control, not to exceed the price at which products of the same or equal quality could be purchased by the State Board of Control on the open market.

(b) No sale of products manufactured by the Texas Prison System shall be made except as above authorized; provided, however, the Texas Prison Board shall have the power to authorize the general manager of the Texas Prison System to sell and dispose of all surplus agricultural products and all personal property owned by the Texas Prison System, which has not been manufactured by the System for the purpose of sale, at such prices and on such terms and under such rules and regulations as it deems best to adopt.

(c) The Texas Prison Board shall not sell to the State of Texas, its agencies or subdivisions, any of the products or services referred to in Article 16, Section 21, of the Constitution of the State of Texas."

Section 2. It is the legislative intent that if any clause, section, sentence, paragraph or subdivision of this bill shall for any reason be declared invalid, then such invalidity shall not affect any other clause, section, sentence, paragraph or subdivision.

Section 3. The fact that the present law prohibits the Texas Prison Board from selling products manufactured by the Texas Prison System to the State Board of Control for use of the state, its departments, and institutions at a price in excess of the identical cost of production "with no cost for labor or overhead charges included" greatly handicaps the Texas Prison Board in its efforts to make

the Texas Prison System self-sustaining, a duty imposed upon it by Article 6166a, Vernon's Civil Statutes, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read.

**Report of Conference Committee
on House Bill 64**

Senator Aikin submitted the following report:

Austin, Texas,
April 6, 1949.

Hon. Allan Shivers, President of the Senate;

Hon. Durwood Manford, Speaker of the House of Representatives.

Sirs: We, your Conference Committee on House Bill No. 64, appointed by the President of the Senate and the Speaker of the House of Representatives respectively to adjust the differences between the two Houses, beg leave to report that we have adjusted the differences between the Senate and the House, and recommend the passage of the bill in the form hereto attached.

Respectfully submitted,

PRESNAL
BRISCOE
SETERFITT
RAMPY
GRAHAM

On the Part of the House,

AIKIN
MOFFETT
HUDSON
HARDEMAN

On the Part of the Senate.

H. B. No. 64 By: Graham, et al.

**A BILL
TO BE ENTITLED**

"An Act amending Chapter 2, Title 49, Revised Civil Statutes of Texas by adding a new Article to be designated Article 2615d, authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to establish an adjunct of the College in Kimble County, Texas; authorizing said Board to provide at the ad-

junct any services which conform to the leading object of the Agricultural and Mechanical College of Texas, including research, with certain exceptions and limitations; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Amend Chapter 2, Title 49, Revised Civil Statutes of Texas by adding a new Article to be designated Article 2615d reading as follows:

"Article 2615d: Adjunct of College authorized to be located in Kimble County.

"Section 1. The Board of Directors of the Agricultural and Mechanical College of Texas is authorized to establish in Kimble County an adjunct of the College to be located on land furnished without cost to the State of Texas.

"Section 2. That the Board of Directors of the Agricultural and Mechanical College of Texas is authorized to provide at said adjunct any services which conform to the leading object of the Agricultural and Mechanical College of Texas as defined in Article 2608 of the Revised Civil Statutes of Texas, 1925, including research, subject to the following exceptions:

"1. That no undergraduate course carrying college credit will be offered at the adjunct in Kimble County during the eight (8) months between the first day of October and the first day of June of any school year.

"2. That not more than Two Hundred Thousand Dollars (\$200,000) may be expended from available plant funds for buildings and improvements without the specific authorization of the Legislature of Texas.

"3. College credits received at the adjunct in Kimble County shall not be counted toward graduation from Agricultural and Mechanical College of Texas, unless an equivalent number of college credits for graduation have been received at the Agricultural and Mechanical College of Texas, located at College Station, Texas."

Sec. 2. The fact that the Agricultural and Mechanical College of Texas has a large enrollment, consisting of many ex-servicemen, and lacks the necessary facilities to provide the proper orientation and pre-college screening, and the fact that many ex-servicemen students desiring admission to the College need a preliminary refresher course to equip them for col-

lege work, and the fact that many students fail in the College because of a lack of pre-college indoctrination, at great expense to the State and to the parents of such students, and the further fact that the adjunct in Kimble County could be used for summer classes to provide the necessary pre-college training required if failures are to be reduced, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall take effect and be in force and after its passage, and it is so enacted.

The report was read.

Senate Bill 439 on First Reading

Senator Taylor moved that Senate Rule 114 and Section 5 of Article III of the Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Morris
Carney	Phillips
Corbin	Proffer
Cousins	Shofner
Hardeman	Strauss
Harris	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

Absent

Colson	Lock
Hazlewood	Moore

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Taylor:

S. B. No. 439, A bill to be entitled "An Act authorizing the State Department of Public Safety to construct, equip and operate a building or plant upon the Tract of 84-12/100 acres out of the James P. Wallace League Survey No. 57 in Travis County, now owned by the State of Texas;

making appropriation therefor; repealing all laws and parts of laws in conflict; and declaring an emergency."

To Committee on State Affairs.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

H. C. R. No. 56, In memory of Ed Howard.

S. B. No. 82, A bill to be entitled "An Act to repeal Chapter 403, House Bill No. 78, Acts First Called Session of the Forty-fourth Legislature, which created an Industrial Revolving Fund of the Texas Prison System; and declaring an emergency."

S. B. No. 138, A bill to be entitled "An Act making appropriation to pay deficiency appropriations granted by the Governor prior to January 10, 1949, and for which no appropriations have heretofore been made, and declaring an emergency."

S. B. No. 141, A bill to be entitled "An Act appropriating the sum of One Hundred and Seventy-five (\$175.00) Dollars, or so much thereof as may be necessary to satisfy, according to the terms thereof, the judgment rendered against the State of Texas in favor of John V. Dowdy, in Cause No. 700 in the Justice Court, Precinct Number One, Henderson County, Texas, said judgment being a final judgment; and declaring an emergency."

S. B. No. 190, A bill to be entitled "An Act authorizing Junior College districts to issue refunding bonds; prescribing the method of issuing such bonds; requiring approval thereof by the Attorney General and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

C. S. S. B. No. 4, A bill to be entitled "An Act to conserve the edible aquatic life within tidal waters of the State of Texas; defining 'commercial fishermen' and 'commercial fishing boats' and providing for certain fees and licenses; defining the authority of the Game, Fish and Oyster Commission; repealing Acts, 1945, 49th Legislature, p. 78, Ch. 55, and Acts, 1947, 50th Legislature, p. 86, Chapter 59; repealing all laws in conflict herewith;

providing a penalty; providing a severance and savings clause; and declaring an emergency."

S. C. R. No. 37, Naming port in Willacy County "Port Mansfield" in honor of Congressman Joseph J. Mansfield.

Recess

Senator Bell moved that the Senate recess to 2:30 o'clock p.m. today.

Senator Hardeman moved that the Senate adjourn until 10:30 o'clock a.m. tomorrow.

Question first recurring on the motion of Senator Hardeman, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—12

Ashley	Hudson
Bracewell	Kelly of Tarrant
Bullock	Lane
Carney	McDonald
Hardeman	Morris
Hazlewood	Proffer

Nays—15

Aikin	Moffett
Bell	Shofner
Corbin	Strauss
Cousins	Taylor
Harris	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Martin	

Absent

Colson	Moore
Lock	Phillips

Question then recurring on the motion of Senator Bell, it prevailed.

The Senate, accordingly, at 12:20 o'clock p.m. took recess to 2:30 o'clock p.m. today.

Afternoon Session

The Senate met at 2:30 o'clock p.m. and was called to order by the President pro tempore.

House Bills and Resolution on First Reading

The following bills and resolution, received from the House, were laid

before the Senate, read first time and referred to the committees indicated.

H. B. No. 548, to Committee on Game and Fish.

H. B. No. 569, to Committee on Counties and County Boundaries.

H. B. No. 540, to Committee on Counties and County Boundaries.

H. B. No. 575, to Committee on Highways and Motor Traffic.

H. B. No. 576, to Committee on Civil Jurisprudence.

H. B. No. 579, to Committee on Finance.

H. B. No. 532, to Committee on Highways and Motor Traffic.

H. B. No. 507, to Committee on Game and Fish.

H. B. No. 506, to Committee on Game and Fish.

H. B. No. 495, to Committee on Game and Fish.

H. B. No. 489, to Committee on Counties and County Boundaries.

H. B. No. 591, to Committee on Counties and County Boundaries.

H. B. No. 592, to Committee on Counties and County Boundaries.

H. B. No. 596, to Committee on Counties and County Boundaries.

H. B. No. 603, to Committee on Game and Fish.

H. B. No. 608, to Committee on Game and Fish.

H. B. No. 616, to Committee on Insurance.

H. B. No. 649, to Committee on Game and Fish.

H. B. No. 684, to Committee on Game and Fish.

H. B. No. 685, to Committee on Game and Fish.

H. B. No. 710, to Committee on Highways and Motor Traffic.

H. B. No. 720, to Committee on Game and Fish.

H. B. No. 744, to Committee on Criminal Jurisprudence.

H. B. No. 60, to Committee on Judicial Districts.

H. B. No. 41, to Committee on Counties and County Boundaries.

H. B. No. 160, to Committee on Counties and County Boundaries.

H. B. No. 164, to Committee on Finance.

H. B. No. 221, to Committee on Civil Jurisprudence.

H. B. No. 245, to Committee on State Institutions and Departments.

H. B. No. 283, to Committee on Water Rights, Irrigation and Drainage.

H. B. No. 380, to Committee on Counties and County Boundaries.

H. B. No. 405, to Committee on Civil Jurisprudence.

H. B. No. 407, to Committee on State Affairs.

H. B. No. 487, to Committee on Game and Fish.

H. B. No. 436, to Committee on Civil Jurisprudence.

House Bill 29 on Passage to Third Reading

The Senate resumed consideration of pending business, same being H. B. No. 29 on its passage to third reading, with amendment by Senator McDonald pending.

Question—Shall the amendment be adopted?

Senator Kelley of Hidalgo moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—15

Aikin	Kelly of Tarrant
Ashley	Martin
Carney	Moffett
Colson	Moore
Corbin	Shofner
Hazlewood	Strauss
Jones	Tynan
Kelley of Hidalgo	

Nays—13

Bell	McDonald
Bracewell	Morris
Bullock	Phillips
Hardeman	Proffer
Harris	Taylor
Hudson	Vick
Lane	

Absent

Cousins	Weinert
Lock	

Senator Hudson offered the following amendment to the bill:

Amend H. B. No. 29 by adding to said bill and each amendment thereto immediately following each use of the term "citrus fruit" wherever therein used, the words "or Pecos Valley cantaloupes."

Senator Kelley of Hidalgo moved to table the amendment.

(President in the Chair)

The motion to table prevailed by the following vote:

Yeas—23

Aikin	Lane
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Hazlewood	Shofner
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	

Nays—6

Bullock	Lock
Hardeman	Strauss
Hudson	Vick

Absent

Harris	Weinert
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Senator Lane offered the following amendment to the bill:

Amend H. B. No. 29 by striking out all of subdivision (7) of Section 9 thereof.

The amendment was adopted.

Senator Harris moved that the Senate adjourn until 10:00 o'clock a.m. tomorrow.

Senator Proffer moved that the Senate recess until 10:00 o'clock a.m. tomorrow.

Question first recurring on the motion of Senator Harris, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—11

Ashley	Hazlewood
Bell	Hudson
Bracewell	Lane
Bullock	McDonald
Hardeman	Taylor
Harris	

Nays—18

Aikin	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Jones	Shofner
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Tynan
Martin	Vick

Absent

Lock	Weinert
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Question next recurring on the motion of Senator Proffer, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—10

Ashley	Hudson
Bell	Lane
Bracewell	McDonald
Bullock	Morris
Hardeman	Proffer

Nays—20

Aikin	Lock
Carney	Martin
Colson	Moffett
Corbin	Moore
Cousins	Phillips
Harris	Shofner
Hazlewood	Strauss
Jones	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick

Absent

Weinert

Question—Shall the bill be passed to third reading?

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 6, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Resolution:

S. C. R. No. 38, Relative to the inspection of fire hazards in our State Institutions.

The House has adopted the Conference Committee Report on Senate Bill No. 69 by a vote of 122 yeas, 0 nays.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Message from the Governor

The President laid before the Senate and directed the Secretary to read the following message from the Governor:

Austin, Texas,
April 6, 1949.

To the Members of the 51st
Legislature:

The statutes dealing with the administration of the franchise tax in Texas have not been amended since their original passage in 1907.

The officials of our State government charged with the administration of these laws have long realized the need of a revision of these statutes to make the collection of the franchise tax more efficient and expeditious.

Furthermore, I understand that there are over ten thousand corporations who had their right to do business forfeited prior to July 2, 1948, who are now totally defunct and never expect to operate again. The cost of forfeiting the charters of these corporations by court action is exorbitant. Legislation is required to end the corporate life of these defunct corporations to the satisfaction of all concerned.

The Secretary of State, the Attorney General, and the State Auditor join in these recommendations.

Under authority of Section 5 of Article III of the Constitution, I submit these matters and the bills introduced to effectuate these purposes as subjects for emergency legislation.

Respectfully submitted,
BEAUFORD H. JESTER,
Governor of Texas.

Bill Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following bill:

S. B. No. 252, A bill to be entitled "An Act appropriating \$960,000.00 to the Board of Control for the use of various eleemosynary institutions during the balance of the fiscal year ending August 31, 1949, for food, medicine, clothing, and other contingent items, and declaring an emergency."

Recess

Senator Morris moved that the Senate recess until 10:00 o'clock a.m. tomorrow.

Senator Hazlewood moved that the Senate adjourn until 10:00 o'clock a.m. tomorrow.

Question first recurring on the motion of Senator Hazlewood, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—9

Ashley	Hazlewood
Bell	Hudson
Bracewell	Lane
Hardeman	Taylor
Harris	

Nays—20

Aikin	McDonald
Bullock	Moffett
Carney	Morris
Colson	Phillips
Corbin	Proffer
Cousins	Shofner
Jones	Strauss
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Martin	Weinert

Absent

Lock	Moore
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Question then recurring on the motion of Senator Morris, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—16

Aikin	Bullock
Ashley	Hardeman
Bell	Harris
Bracewell	Hazlewood

Hudson
Jones
Lane
McDonald

Morris
Proffer
Shofner
Weinert

Nays—18

Carney	Moffett
Colson	Phillips
Corbin	Strauss
Cousins	Taylor
Kelley of Hidalgo	Tynan
Kelly of Tarrant	Vick
Martin	

Absent

Lock	Moore
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The Senate, accordingly, at 4:10 o'clock p.m. took recess until 10:00 o'clock a.m. tomorrow.

FORTY-FOURTH DAY**(Continued)****(Thursday, April 7, 1949)****AFTER RECESS**

The Senate met at 10:00 o'clock a.m. and was called to order by the President pro tempore.

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Senator Morris submitted the following reports:

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill 319, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

MORRIS, Chairman.

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred Senate Bill 376, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

MORRIS, Chairman.

Senator Bullock submitted the following report:

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred H. B. No. 575 have had the same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass.

BULLOCK, Chairman.

Senator Proffer submitted the following report:

Austin, Texas,
April 6, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Education, to whom was referred Senate Bill No. 323, have had same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be printed.

PROFFER, Chairman.

Senator Jones submitted the following reports:

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 569, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 596, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom

was referred H. B. No. 385, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 540, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 489, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 380, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 41, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Coun-

ties and County Boundaries, to whom was referred H. B. No. 180, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 591, have had same under consideration, and I am instructed to report it back to the Senate with the recommendations that it do pass and be mimeographed.

JONES, Chairman.

House Bill 29 on Passage to Third Reading

The Senate resumed consideration of pending, unfinished business, same being H. B. No. 29, creating a Texas Citrus Commission, on its passage to third reading.

The bill having been read second time and amended on Wednesday, April 6, 1949.

Question—Shall the bill be passed to third reading?

(President in the Chair)

Senate Bill 440 on First Reading

By unanimous consent, the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Bell:

S. B. No. 440, A bill to be entitled "An Act validating the creation of Atascosa County Water Control and Improvement District Number One; validating all acts and proceedings of governing body of City of Charlotte, Texas, in the creation of said District and validating all acts and proceedings of the Board of Directors of said District; proof of publication of local notice required by the Constitution and declaring an emergency."

To Committee on Counties and County Boundaries.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 7, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Resolution:

The House has adopted the Conference Committee report on House Bill No. 64 by a vote of 113 yeas, 0 nays.

H. C. R. No. 65, Granting permission to both Houses to adjourn Thursday, April 7, 1949, to Monday, April 11, 1949.

Respectfully submitted,
CLARENCE JONES,

Chief Clerk, House of Representatives.

Committee to Escort Honorable Luther Evans to Joint Session

In accordance with the provisions of S. C. R. No. 28, the President announced the appointment of the following committee: Senators Moore, McDonald, Corbin, Martin and Bracewell.

Report of Conference Committee on House Bill 64

Senator Aikin called for consideration at this time, the report of the Conference Committee on H. B. No. 64, the report having been submitted on yesterday.

Senator Aikin moved that the report be adopted.

The report was adopted by the following vote:

Yeas—24

Aikin	Jones
Ashley	Kelley of Hidalgo
Bell	Lane
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Corbin	Moore
Cousins	Morris
Hardeman	Phillips
Harris	Shofner
Hazlewood	Tynan
Hudson	Vick

Corbin	McDonald
Hazlewood	Moore
Martin	

Joint Session

(To hear an address by Honorable Luther H. Evans.)

At 11:00 o'clock a.m., the President announced that the hour heretofore fixed for a Joint Session of the Senate and House of Representatives to hear an address by Honorable Luther H. Evans, Librarian of Congress, had arrived and requested the Senators to repair in a body to the Hall of the House.

The President pro tempore and Members of the Senate, escorted by Honorable Garland Smith, Secretary of the Senate, proceeded in a body to the Hall of the House and were duly announced and escorted to seats reserved for them along the center aisle.

President pro tempore Vick, by invitation of the Speaker, occupied a seat on the Speaker's stand, and called the Senate to order.

The Speaker, Honorable Pierce Johnson presiding, called the House to order.

Honorable Luther H. Evans, Librarian of Congress, accompanied by Governor Beauford H. Jester, Mr. and Mrs. G. W. Evans, Mrs. Alice McCreery, parents and sister of Mr. Evans, and Mr. J. R. Turner were announced at the bar of the House and were escorted to the Speaker's stand by Senators Moore, McDonald, Corbin, Martin and Bracewell, on the part of the Senate, and Representatives Whitworth, Niemann, Blount, McLellan and Chambers, on the part of the House.

The Speaker presented Governor Beauford H. Jester who introduced Mr. Evans to the Joint Session.

Mr. Evans then addressed the Joint Session.

At the conclusion of the address, the President pro tempore announced that the business of the Joint Session had been concluded and declared the Senate adjourned until 10:30 o'clock a.m. Monday, April 11, 1949, in accordance with a motion heretofore adopted by the Senate.

FORTY-FIFTH DAY

(Monday, April 11, 1949)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and

was called to order by the President pro tempore.

The roll was called, and the following Senators were present:

Aikin	Lane
Ashley	Lock
Bell	Martin
Bracewell	McDonald
Bullock	Moffett
Carney	Moore
Colson	Morris
Corbin	Phillips
Cousins	Proffer
Hardeman	Shofner
Harris	Strauss
Hazlewood	Taylor
Hudson	Tynan
Jones	Vick
Kelley of Hidalgo	Weinert
Kelly of Tarrant	

A quorum was announced present.

The Reverend Frank Luker, Chaplain, offered the invocation.

On motion of Senator Shofner, and by unanimous consent, the reading of the Journal of the proceedings of Thursday was dispensed with and the Journal approved.

Reports of Standing Committees

Senator Ashley submitted the following report:

Austin, Texas,
April 11, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred S. B. No. 434, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that the bill do pass and be printed.

ASHLEY, Chairman.

Senator Tynan submitted the following report:

Austin, Texas,
April 11, 1949.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred S. B. No. 425, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that the bill do pass and be printed.

TYNAN, Chairman.